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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,499	08/01/2001	Kenzo Sekiguchi	2922.0045	3225

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

HUNTSINGER, PETER K

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/918,499	Applicant(s) SEKIGUCHI, KENZO	
	Examiner Peter K. Huntsinger	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 1-11 is withdrawn in view of the newly discovered reference(s) to Malik Patent 7,089,286. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4-6, 9-13, 15-17 and 20-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Malik Patent 7,089,286.

Referring to claims 1, 12, and 23, Malik discloses a communication apparatus comprising: connecting means for connecting the communication apparatus to a communication network containing an electronic mail exchange device (Network 13 of Fig. 1, col. 3-4, lines 54-67, 1-6); input means for inputting image data representing an image; transmitting means for transmitting an electronic mail, to which the image data inputted by said input means is attached, via said connecting means (col. 5, lines 8-19); receiving means for receiving an electronic mail for notifying an error via said

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connecting means; analyzing means for analyzing the electronic mail for notifying the error received by said receiving means; converting means for converting a capacity of the image data, inputted by said input means, into a smaller capacity according to an analysis result obtained by said analyzing means; and control means for carrying out a controlling operation so as to retransmit the electronic mail, to which the image data with the capacity thereof converted by said converting means is attached, by said transmitting means (col. 7-8, lines 60-67, 1-17).

Referring to claims 2 and 13, Malik discloses wherein said converting means converts the capacity of image data specified by the electronic mail analyzed by said analyzing means (col. 5, lines 8-19).

Referring to claims 4 and 15, Malik discloses wherein said converting means reduces the capacity by reducing a size of an image represented by the image data inputted by said input means (col. 5, lines 8-19).

Referring to claims 5 and 16, Malik discloses wherein said converting means reduces the capacity per electronic mail by dividing the image data inputted by said input means into a plurality of pieces (col. 8, lines 42-55).

Referring to claims 6 and 17, Malik discloses wherein said converting means reduces the capacity by raising a compression rate of the image data inputted by said input means (col. 5, lines 8-19).

Referring to claims 9 and 20, Malik discloses setting means for setting for said converting means one of a plurality of conversion methods to be used; and wherein said

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converting means converts the capacity by the conversion method set by said setting means (col. 8, lines 29-55).

Referring to claims 10 and 21, Malik discloses wherein said converting means converts the capacity by using a combination of a plurality of converting methods (col. 8, lines 29-55).

Referring to claims 11 and 22, Malik discloses wherein: said control means repeats the conversion by said converting means and the retransmission by said transmission means every time said receiving means receives an electronic mail for notifying an error (col. 7-8, lines 60-67, 1-17).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3, 8, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik Patent 7,089,286 as applied to claims 1 and 12 above, and further in view of Kodaira et al. Patent 6,868,183.

Referring to claims 3 and 14, Malik discloses reducing the size of an image and utilizing file specific compression types, but does not disclose expressly lowering a resolution of an image. Kodaira et al. disclose wherein a converting means reduces the capacity by lowering a resolution of an image represented by image data inputted by

input means (col. 24, lines 31-44). Malik and Kodaira are combinable because they are from the same field of image data processing. At the time of the invention, it would have been obvious to one of ordinary skill in the art to lower the resolution of an image in the system of Malik. The motivation for doing so would have been to reduce the size of the image file using a known image compression technique. Further, the commonly used image compression format JPEG compresses image data by lowering the resolution of an image. Therefore, it would have been obvious to combine Kodaira et al. with Malik to obtain the invention as in claims 3 and 14.

Referring to claims 8 and 19, Malik discloses reducing the size of an image and utilizing file specific compression types, but does not disclose expressly converting multivalued image data into binary image data. Kodaira et al. disclose wherein said converting means reduces the capacity by converting the image data which is multivalued image data, inputted by said input means, into binary image data (col. 24, lines 31-44). At the time of the invention, it would have been obvious to one of ordinary skill in the art to convert multivalued image data into binary image data. The motivation for doing so would have been to reduce the size of the image file using a known image compression technique. Therefore, it would have been obvious to combine Kodaira et al. with Malik to obtain the invention as in claims 8 and 19.

6. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik Patent 7,089,286 as applied to claims 1 and 12 above, and further in view of Knowlton Patent 6,157,389.

Referring to claims 7 and 18, Malik discloses reducing the data size of an image by compressing the data but do not disclose converting color image data into black and white image data. Knowlton discloses wherein converting means reduces the capacity by converting image data which is color image data, inputted by input means, into black-and-white image data (col. 3, lines 4-13). Malik and Knowlton are combinable because they are from the same field of file compression. At the time of the invention, it would have been obvious to one of ordinary skill in the art to convert color data into black and white data in the system of Malik. The motivation for doing so would have been to reduce the size of an image. Therefore, it would have been obvious to combine Knowlton with Malik to obtain the invention as in claims 7 and 18.

Conclusion

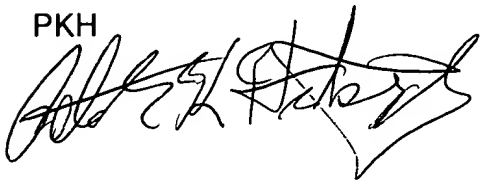
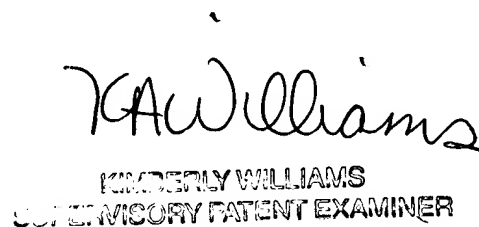
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH

A handwritten signature in black ink, appearing to be 'PKH' followed by a stylized flourish.A handwritten signature in black ink that reads 'K. Williams'. Below the signature, the text 'KIMBERLY WILLIAMS' and 'SUPERVISORY PATENT EXAMINER' is printed in a bold, sans-serif font.

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER